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Date:

10/28/2004

Signature of Person Mailing Correspondence

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**PATENT** 

Applicant(s):

Peter D. Saunders

Docket No.:

60655.6300

Serial No.:

10/711,965

Group Art Unit:

TBA

Filed:

October 15, 2004

Examiner:

TBA

Title:

SYSTEM AND METHOD

Confirmation No.:

5964

FOR PROVIDING A RF
PAYMENT SOLUTION TO

A MOBILE DEVICE

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner For Patents PO Box 1450 Alexandria, VA 22313-1450

## Commissioner:

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and pursuant to 37 C.F.R., §§1.97 and 1.98, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents listed on the attached Form PTO/SB/08A. Applicant respectfully submits that all pending claims are patentable over the foregoing references, alone or in combination. The Examiner is requested to initial the enclosed Form PTO/SB/08A and return a copy thereof to the undersigned.

The items listed on Form PTO/SB/08A may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

Serial No.: 10/711,965 Docket No.: 60655.6300

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants reserve the right to dispute any of the listed documents as prior art during examination. Further, Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application. Furthermore, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made or that no other material information may exist.

1. [ ]	For each of the following items listed on the enclosed copy of Form PTO/SB/08A
	that is not in the English language, an English language translation of that item or
	a portion thereof or a concise explanation of the relevance of that item is
	enclosed:

- 2. [ X ] Any copy of the items listed on the enclosed copy of Form PTO/SB/08A that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in the prior [X ] Parent Application, [ ] Continuation, [ ] Divisional or [ ] Continuation-In-Part application under 37 C.F.R. §1.97, U.S. Serial No. <u>10/192,488</u>, filed <u>July 9, 2002</u>.
- 3. [ X ] No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
  - [X] 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.
  - [ ] 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application.
  - [ ] 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits.
- 4. [ ] No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 3 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 8 below.
- 5. [ ] A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period

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Serial No.: 10/711,965 Docket No.: 60655.6300

	•	fied in paragraph 3 above but before the mailing date of a final action or a e of allowance (where there has been no prior final action):
	[]	A check in the amount of \$180.00 is enclosed in payment of the fee.
	[]	Charge the fee to Deposit Account No. 19-2814. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
6. []	since of a fi	is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date nal action or a notice of allowance, whichever comes first, but before ent of the issue fee, and is accompanied by:
	a.	one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 8 below; and
	b.	the attached petition requesting consideration of this Information Disclosure Statement; and
	C.	the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 9 below.
7. [ ]		is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement it is being filed in compliance with:
	a. [ ]	37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue;
	b. [ ]	37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue.
	C.	The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 9 below.
8. []	Disclo	by certify that each item of information contained in this Information osure Statement was cited in a communication from a foreign patent office ounterpart foreign application not more than three months prior to the filing Information Disclosure Statement.
[]	State	by certify that no item of information in the Information Disclosure ment filed herewith was cited in a communication from a foreign patent in a counterpart foreign application or, to my knowledge after making

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Serial No.: 10/711,965 Docket No.: 60655.6300

reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

- 9. [ ] A check in the amount of \$180.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(p).
  - [ ] Charge the fee due under 37 C.F.R. §1.17(i)(1) to Deposit Account No. 19-2814. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
  - [ X ]The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 19-2814. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

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Respectfully submitted,

Snell & Wilphen

Dated:

Howard Sobelman
Registration No. 39 038

Snell & Wilmer L.L.P. One Arizona Center 400 E. Van Buren Phoenix, Arizona 85004-2202

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PTO/SB/08a (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of

Complete if Known					
Application Number	10/711,965				
Filing Date	October 15, 2004				
First Named Inventor	Peter D. Saunders, et al.				
Art Unit	TBA				
Examiner Name	TBA				
Attorney Docket Number	60655.6300				

	U.S. PATENT DOCUMENTS								
Examiner Initials*	Cite No.1	Document Number	Number  Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear			
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Examiner Initials	Cite No.1	Office <sup>3</sup>	Foreign Patent Do	Cument Kind <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sub>6</sub>
		СН	CH689070		0//31/1998	Peter Bresch		
		EP	0 358 525	A2	03/14/1990	W&T Avery Ltd.		
		EP	0 424 726	Al	10/10/1990	Angewandte Digital Elec		
		PCT	WO 99/03057	A1	01/21/1999	Robert E. Dorf		
		EP	0 933 717	A2	08/04/1999	Citicorp Development Center		
		EP	0 956 818	A1	11/17/1999	Citicorp Development Center		
		EP	0 959 440	A2	11/24/1999	Citicorp Development Center		
		JP	2000-1109	A	01/14/2000	Citicorp Development Center		
		JP	2000-015288	A	01/18/2000	Hitachi Plant Eng & Constr		
		JР	2000-40181	A	02/08/2000	Unknown		

Examiner	Da	ate	
Signature	Co	onsidered	

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Substitu	ute for form 1449A/PTC	)		Co	omplete if Known
			201 001125	Application Number	10/711,965
INF	ORMATION	DI	SCLOSURE	Filing Date	October 15, 2004
STA	<b>ATEMENT B</b>	Y A	APPLICANT	First Named Inventor	Peter D. Saunders, et al.
				Art Unit	TBA
	(use as many she	ets as	s necessary)	Examiner Name	TBA
Sheet	2	of	8	Attorney Docket Number	60655.6300

				U.S. PAT	ENT DOCUMENTS	
Examiner Initials*	Cite No.1	Document I Number	Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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Examiner Initials*	No.1	Office <sup>3</sup>	Number <sup>4</sup>	Kind⁵ (if known)	MM-DD-YYYY	Applicant of Cited Document	Passages or Relevant Figures Appear	Τ <sup>6</sup>
		PCT	WO 00/10144	Al	02/24/2000	3M Innovative Properties Co		
		JP	2000-67312	A	03/03/2000	IBM		
		EP	0 984 404	A2	03/08/2000	IBM		
		PCT	WO 00/38088	Al	06/29/2000	John Klayh		
		EP	1 016 947	A2	07/05/2000	Texas Instruments Inc.		
		JP	2000-207641	Α	07/28/2000	NCR International Inc.		
		EP_	1 039 403	A2	09/27/2000	Citicorp Development Center		
		JP	2001-5931	Α	01/12/2001	Unknown		
		PCT	WO 01/04825	Al	01/18/2001	Intermec IP Corp.		
		PCT	WO 01/15098	Al	03/01/2001	Gamut Interactive		

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Signature	Considered	

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· Subs	titute for form 1449A/P		, no porosito are regarica to	Complete if Known		
				Application Number	10/711,965	
INI	-ORMA HOI	N DIS	SCLOSURE	Filing Date	October 15, 2004	
ST	<b>ATEMENT</b>	BY A	PPLICANT	First Named Inventor	Peter D. Saunders, et al.	
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(use as many sheets as necessary)				Examiner Name	TBA	
Shee	t 3	of	8	Attorney Docket Number	60655.6300	

		·	U.S. PAT	ENT DOCUMENTS	
Examiner Initials	Cite No.1	Document Number  2  Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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Examiner Initials*	Cite No.1	Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>5</sup> (if known)	MM-DD-YYYY	Applicant of Cited Document	Passages or Relevant Figures Appear	T®
		EP	1 104 909	A2	06/06/2001	Smartel S.P.A.		
		PCT	WO 01/43095	A2	06/14/2001	Intermec IP Corp.		
		EP	1 113 387	A2	07/04/2001	Schlumberger Systemes		
		PCT	WO 01/72224	Al	10/04/2001	Wolf Fernlund		
		JP	2001-283122	Α	10/12/2001	Dainippon Printing Co., Ltd.		
		PCT	WO 01/77856	A1	10/18/2001	Brightstreet.com, Inc.		
		PCT	WO 01/80473	A2	10/25/2001	Sony Electronics, Inc.		
		PCT	WO 01/86535	A1	11/15/2001	Cadmus Technology Ltd.		
		PCT	WO 01/90962	A1	11/29/2001	Grosvenor Leisure Inc.		
		PCT	WO 01/95243	A2	12/13/2001	Battelle Memorial Institute		

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. ;	Substitu	te for form 1449A/P	то		Co	omplete if Known
					Application Number	10/711,965
l	INF	ORMA 1101	N DI	SCLOSURE	Filing Date	October 15, 2004
	STA	TEMENT	BY A	APPLICANT	First Named Inventor	Peter D. Saunders, et al.
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SI	heet	4	of	8	Attorney Docket Number	60655.6300

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Examiner Initials	Cite No.1	Document Number	Kind Code	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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Examiner	Cite		Foreign Patent Do	cument	Publication Date	Name of Patentee or	Pages, Columns, Lines, Where Relevant	
Initials*	No.1	Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>5</sup> (if known)	MM-DD-YYYY	Applicant of Cited Document	Passages or Relevant Figures Appear	T <sub>6</sub>
		PCT	WO 02/01485	Αl	01/03/2002	Smartclick Corporation		
		PCT	WO 02/13134	A2	02/14/2002	Medmicrochip LC		
		PCT	WO 02/21903	Al	03/21/2002	Mario Witte		
		EP	1 199 684	A2	04/24/2002	Marconi Commerce Systems		
		PCT	WO 02/063545	A2	08/15/2002	Sensormatic Electronics Corp		
		PCT	WO 02/065246	A2	08/22/2002	Stockback Holdings, Inc.		
		PCT	WO 02/065404	A2	08/22/2002	Stuart Williams		
		PCT	WO 02/069221	Al	09/06/2002	Frequency Marketing, Inc.		
		PCT	WO 02/073512	Al	09/19/2002	3M Innovative Properties Co.		
		EP	1 251 450	Αl	10/23/2002	NCR International Inc.		

Examiner	Date	
Signature	Considered	

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• Substitu	ute for form 1449A/PT	·O	•	Co	omplete if Known
	001447101			Application Number	10/711,965
INF	ORMATION	I DI	SCLOSURE	Filing Date	October 15, 2004
STA	ATEMENT E	3Y A	APPLICANT	First Named Inventor	Peter D. Saunders, et al.
				Art Unit	TBA
	(use as many she	eets as	s necessary)	Examiner Name	TBA
Sheet	5	of	8	Attorney Docket Number	60655.6300

			U.S. PAT	ENT DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number  Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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Examiner Initials*	Cite No.1	Office <sup>3</sup>	Foreign Patent Do Number <sup>4</sup>	cument Kind <sup>s</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Т <sup>6</sup>
		PCT	WO 02/086665	A2	10/31/2002	United States Postal Service	L	
		PCT	WO 02/091281	A2	11/14/2002	Outsite Networks Inc.		
		PCT	WO 02/097575	A2	12/05/2002	American Express TRS Co.	,	
		PCT	WO 02/101670	A2	12/19/2002	3M Innovative Properties		
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Signature	Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitut	te for form 1449B/PT0	0		Complete if Known			
				Application Number	10/711,965		
INFO	DRMATION	A DI	SCLOSURE	Filing Date	October 15, 2004		
STA	TEMENT I	RY A	APPLICANT	First Named Inventor	Peter D. Saunders, et al.		
017		<b>-</b>		Art Unit	TBA		
	(use as many s	sheets	as necessary)	Examiner Name	ТВА		
Sheet	6	of	8	Attorney Docket Number	60655.6300		

		OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.								
		"What's New: Timex Watch Features Speedpass System", http://www.speedpass.com/news/article.jsp?id=51 (1 page)								
		"Physical Reality: A Second Look", Ken Sharp, Senior Technical Editor, http://www.idsystems.com/reader/1999_03/phys0399_pt2/phys0399_pt2.htm (6 pages)								
		"'Magic Wands' to Speed Mobile Sales", BobBrewin, Jan. 15, 2001, http://www.computerworld.com/mobiletopics/mobile/story/1,10801,563300.html (4 pages)								
		"Mobile Speedpass Goes Global as Mobil Singapore Rolls Out Asia's First RFID-Based Pay-At-The-Pump System", Press Release, April 5, 1999, http://www.ti.com/tiris/docs/news_releases/rel12.htm (3 pages)								
		"Speedpass Unleashed", June 4, 2002 http://www.cardweb.com/cardtrak/news/cf2_20a_97.html (2 pages)								
		Prophecy Central Update #9, October 10, 1997, http://www.bible-prophecy.com/pcu9.htm (5 pages)								
		International Newsletter of the TI RFID Group, Issue 20, 2000 (12 pages)								
		"CES: Microsoft's SPOT Technology has Humble Origins", by James Niccolai, January 10, 2003, http://archive.inforworld.com/articles/hn/xml/03/01/10/030110hnspot.xml?s=IDGNS (3 pages)								
		"Microsoft: See SPOT Run On Your Wrist", by Richard Shim, June 5, 2003, http://news.com.com/2100-1041_3-1013442.html?tag=fd_top (1 page)								
		"Networking: Microsoft SPOT", by Jeremy A. Kaplan, July 1, 2003, http://www.pcmag.com/print_article/0,3048,a=43561,00.asp (2 pages)	-							
		"Microsoft Launches Smart Personal Object Technology Initiative", Press Release from COMDEX Fall 2002, November 17, 2002, http://www.Microsoft.com/presspass/features/2002/nov02/11-17SPOT.asp (4 pages)	-							
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Examiner	Date	
Signature	Considered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449B/PTO				Complete if Known			
				Application Number	10/711,965		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Filing Date	October 15, 2004		
				First Named Inventor	Peter D. Saunders, et al.		
				Art Unit	TBA		
	(use as many	sheet	s as necessary)	Examiner Name	ТВА		
Sheet	7	of	8	Attorney Docket Number	60655.6300		

		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the		
Examiner nitials	Cite No. <sup>1</sup>	item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>	
		"Bank Extends RFID Payment Pilot: Bank of America will continue to test its QuickWave RFID payment card for another three months", RFID Journal, 01/23/2003		
		"MasterCard to Test RFID Card: Pilot will test whether consumers, merchants and credit card issuers value "contactless" payments", RFID Journal, 12/20/2002		
		"Vendors Target Amusement Parks: Protecting children and enabling cashless payments make RFID an appealing option for the entertainment industry", RFID Journal, 11/27/2002		
		"Inside's Next-Gen Smart Card: The French company plans to introduce an RFID card that uses a 16-bit microprocessor and new encryption technology", RFID Journal, 10/29/2002		
<del></del>		"Sony, Philips Creating RFID Link: Consumer electronics giants are jointly developing a new RFID standard for payments and for communication between devices", RFID Journal, 09/17/2002		
		"Japan Gets Digital Ticket System: A national ticket seller and phone company are teaming up to create an electronic ticket", RFID Journal, 08/31/2002		
		"Security for Wireless Java: NTRU, a startup that offers security software, has relased of Java version of its NTRU encryption algorithm", RFID Journal, 06/27/2002		
		"Making RFID Payments Ubiquitous: Philips and Visa want people to be able to pay for goods and services anywhere by using RFID chips embedded in the phones and other devices", RFID Journal, 06/02/20003		
	:	"RFID Smart Cards Gain Ground: The convenience of contactless transactions is driving widespread adoption of contactless smart cards", RFID Journal, 04/09/2003		
		"TI Embarces Prox Card Standard: Texas Instruments ISO 14443 payment platform promises faster data transfer rates and more security", RFID Journal, 03/06/2003		
	"Multiple Frequency Transponders: Volume production of dual-band RFID chips begins", Frontline Solutions, 07/16/2003			

Examiner	Date	
Signature	Considered	

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017		<b>–</b> .	/	Art Unit	ТВА	
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Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²		
·		Functional Specification, Standard Card IC MF1 IC S50, Philips Semiconductors, Product Specification Rev. 5.1 May 2001			
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